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February 18, 1993

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[FEB 18 1993]

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W. Room 222
Washington, D.C. 20554

Re: Horizontal and Vertical Ownership Limits, Cross-
Ownership Limitations and Anti-Trafficking Provisions
MM Docket No. 92-264

Dear Ms. Searcy:

Enclosed for filing, on behalf of Turner Broadcasting System, Inc., are the original and nine copies of its Motion for Extension of Time in the above-referenced proceeding.

Should you have any questions regarding this filing, please contact the undersigned.

Sincerely,



Lisa W. Schoenthaler

Enclosures

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Before the
Federal Communications Commission
Washington, D.C. 20554

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FEB 18 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of
Implementation of Sections 11 and 13
of the Cable Television Consumer
Protection and Competition Act of 1992

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MM Docket No. 92-264

Horizontal and Vertical Ownership
Limits, Cross-Ownership Limitations
and Anti-trafficking Provisions

Motion for Extension of Time

Turner Broadcasting System, Inc. ("TBS"), by its attorneys, hereby requests an extension of time for the submission of reply comments in the above-referenced proceeding until the Commission has adopted rules implementing the Section 19 program access provisions and Section 9 leased access provisions of the Cable Consumer Protection and Competition Act of 1992 ("1992 Cable Act") and the parties have had a reasonable opportunity to review the resulting rules.^{1/}

TBS supports expeditious action in this and other proceedings to implement the 1992 Cable Act. For the following reasons, however, an extension in this proceeding would improve

^{1/} See Notice of Proposed Rulemaking In the Matter of Implementation of Sections 12 and 19 of the Cable Television Consumer Protection and Competition Act of 1992, MM Docket No. 92-265, released December 24, 1992 ("Program Access Proceeding"); Notice of Proposed Rulemaking in the Matter of Implementation of Sections of the Cable Television Consumer Protection and Competition Act of 1992, Rate Regulation, MM Docket No. 92-266, released December 24, 1992 ("Leased Access Proceeding"). Pursuant to the 1992 Cable Act, the Commission is instructed to adopt the Section 19 program access and Section 9 leased access rules by April 5, 1993.

the value to the Commission of comments submitted in the reply round, and facilitate the issuance of final rules within the congressionally mandated timeframe.

First, the outcome of the Program Access and Leased Access Proceedings will directly affect the views of interested parties with respect to the appropriate horizontal and vertical limits to be imposed pursuant to Sections 11 and 13. The rules promulgated in the Program and Leased Access Proceedings, like the rules proposed in this proceeding, are designed to address congressional concerns regarding program diversity and the ability and incentive of cable operators to favor affiliated over unaffiliated programmers or to discriminate against unaffiliated programmers. Once interested parties have the opportunity to consider the structural and behavioral restraints imposed in those proceedings, as well as the attribution rules adopted in the Program Access Proceeding, they will be able to submit complete and informed reply comments with respect to the appropriate horizontal and vertical limits and attribution rules to be imposed pursuant to Sections 11 and 13.

Second, this extension will promote administrative efficiency. The Motion Picture Association of America, Inc. ("MPAA") has requested the Commission to keep the record open for additional comments on the appropriate level of horizontal and vertical restrictions in light of the final rules adopted in the Program Access and the Leased Access Proceedings.^{2/} The Commission can obviate the need for at least one round of additional comments if it simply extends the reply comment period as requested above.

^{2/} Comments of MPAA at 4.

Finally, an extension will not in any way contravene congressional intent. The Act contemplates adoption of the horizontal and vertical limits by October 5, 1993. Our request is completely consistent with and furthers the timely completion of these proceedings.

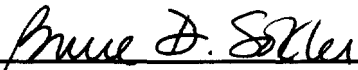
CONCLUSION

For the foregoing reasons, TBS urges the Commission to extend the period of time in which parties can file reply comments until the Commission has adopted rules implementing the Section 19 program access and Section 9 leased access provisions of the 1992 Cable Act and the parties have had a reasonable opportunity to review those rules.

Respectfully submitted,

OF COUNSEL:

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